

Notice of Allowability

Application No.

09/938,915

Examiner

Chuck O. Kendall

Applicant(s)

SOKOLOV, STEPAN

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/05/05.
2. ☒ The allowed claim(s) is/are 1,4-9 and 21-28 now renumbered as claims 1 - 15.
3. ☒ The drawings filed on 24 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 01/13/05,02/20/02
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 08/22/05
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAM
SUPERVISORY PATENT EXAMINER

Examiners Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Claims have been amended to avoid any potential 35 U.S.C. 101 and 112, 2nd paragraph issues.

Authorization for this examiner's amendment was given in a telephone interview with R. Mahboubian, registration number 44,890, on 08/22/05

The application has been amended as follows:

IN THE CLAIMS:

2. Please amend claims 1 and 4 – 8 as follows:

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Claim 1 (Currently Amended).

At line 2, after "instruction", insert stored in a computer readable medium.

Claim 4 (Currently Amended).

At line 1, after "macro", insert virtual machine loop.

Claim 5 (Currently Amended).

At line 1, after "macro", insert virtual machine loop.

Claim 6 (Currently Amended).

At line 1, after "macro", insert virtual machine loop.

Claim 7 (Currently Amended).

At line 1, before "macro", delete [Java];

And after "macro", insert virtual machine loop.

Claim 8 (Currently Amended).

At line 1, after "macro", insert virtual machine loop.

Examiner's Reasons for Allowance

3. Examiner has considered Applicant's response dated 07/05/2005 and after further review of Applicant's comments regarding claims 1, 4 – 9, and 21 – 28, Examiner is withdrawing the previous Final rejection of 05/04/05 and placing claims in condition for allowance.

The following is an Examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest at least:

A macro virtual loop instruction for execution by a virtual machine, including:

“...said conventional sequence of Bytecode instructions including a conventional conditional flow control Bytecode;

wherein said macro instruction is a single virtual machine instruction that can effectively replace said conventional sequence of Bytecode instructions and can be executed by said virtual machine operating in said computing environment

...wherein said macro virtual machine loop instruction is generated and loaded into said virtual machine instead of said conventional sequence of Bytecode instructions during the Bytecode verification prior to execution time.”, as best illustrated by Figure 9B and in such a manner as recited in independent claims 1, 21 and 25.

Therefore, all claims, i.e. claims 1, 4 – 9, and 21 – 28 are in condition for allowance. Any comments considered necessary by Applicant must be submitted no

later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Correspondence Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Kendall whose telephone number is 571-272-3698. The examiner can normally be reached on 10:00 am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ck.



TUAN DAM
SUPERVISORY PATENT EXAMINER